IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No.60213-M of 2006

DATE OF DECISION:20.11.2006

Dr. Chhaju Ram .....Petitioner

Versus

State of Punjab .....Respondent

CORAM:- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present:- Shri Baldev Singh, Sr. Advocate
with Shri Sudhir Sharma, Advocate
for the petitioner.

Shri N.S. Gill, AAG, Punjab.

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Petitioner Dr. Chhaju Ram, who is Senior Medical Officer, apprehending his arrest in a non-bailable offence in case FIR No. 56 dated 18.9.2006 under Sections 7 and 13(2) of the Prevention of Corruption Act, 1988, registered at Police Station Vigilance Bureau, Patiala, has filed this petition under Section 438 Cr.P.C. for anticipatory bail.

I have heard counsel for the parties and gone through the contents of the FIR.

Counsel for the petitioner contends that on 11.9.2006 when the petitioner inspected the shop of the complainant, he found that the complainant was not having a valid certificate for doing the practice and an intimation in this regard was sent by the petitioner to Civil Surgeon, Sangrur. Subsequently, on 16.9.2006 on the complaint made by the complainant, a raid was conducted by the Vigilance Bureau. Counsel further contends that the petitioner was not present at the spot and the recovery was made from one Madan Lal. Counsel also contends that in the aforesaid case, the petitioner has been falsely implicated on the

allegation that the petitioner and the aforesaid Madan Lal demanded illegal gratification from the complainant.

Counsel for the petitioner further contends that in view of the order dated 28.9.2006, the petitioner has joined the investigation. This fact has not been disputed by the State Counsel. Counsel for the respondent-State also does not dispute this fact that no money was recovered from the petitioner and it was recovered only from the co-accused Madan Lal.

In view of the above, the interim bail, granted vide order dated 28.9.2006 is made absolute subject to the same terms and conditions.

This bail order shall remain in operation till the investigation culminates into filing of challan under Section 173 Cr.P.C. except for material change in the circumstances. Thereafter the petitioner shall be entitled to the grant of regular bail by the trial Court and the same shall further continue till conclusion of the trial on the conditions to be imposed by the court of competent jurisdiction.

Disposed of accordingly.

November 20, 2006 **(SATISH KUMAR MITTAL)**
pooja **JUDGE**